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## CALL FOR ACTION BY LEGISLATURE

Governor Leads Movement for Better Care of Public Health.

NOTABLE LECTURE  
BY DR. McCORMACK

Declares One-Third of Sickness and Death in Virginia Last Year Could Have Been Prevented—Vigorous Assaults Patent Medicines.

## WHAT DR. McCORMACK SAID OF VIRGINIA

"One-third of the sickness and a third of the deaths in Virginia last year ought never to have occurred, and would not have occurred had there been proper preventive work."

"You had in Virginia last year 1,532 deaths from the kind of infantile diseases which come from drinking dirty, adulterated and impure milk. The slaughter of the innocents of our cities during every hot season from this cause alone. There is now very little chance to get pure milk in this country, as it is almost habitually adulterated."

"You had in Virginia last year over 900 deaths from typhoid. This is not only a preventable disease, but it is a disgrace. You take better care of your crops and your live stock than you do of the health of your people. Virginia's appropriation of \$4,000 a year is the smallest in the Union. You have a great medical profession in Richmond. You can trust them, and they will not fail you."

**Governor's Promise.**

"I hope that by the time the next Legislature meets the doctors of the State will have drawn up a good bill so prepared as to provide for carrying out the suggestions of Dr. McCormack, for a board of health, with ample provision for its support. I will give such a bill every assistance possible, and will sign it as soon as it is passed."

Before a notable gathering of physicians and professional and business men of prominence in all lines of the city's life, Dr. J. N. McCormack, secretary of the American Medical Association, last night sounded a demand for important reforms in Virginia. His suggestions as to the public health being ably and powerfully seconded by Governor Swanson, who, not only expressed his great interest in so vital a matter but called upon the medical profession to unite with him in having the State Legislature take proper action at its next session.

The address was delivered in the hall of the Y. M. C. A., and in the audience were a large number of ladies. The subject of Dr. McCormack was "Things About Doctors Which Physicians and People Ought to Know," and the lecturer received the closest attention, his remarks calling forth frequent applause and provoking at the end a general discussion, in which the Governor, several physicians, a prominent lawyer and a well-known minister of the gospel engaged.

One of the features of the lecture itself was a vigorous attack on patent medicines, and a denunciation of a short-sighted policy that devoted more attention and money to the safety of crops and oysters than to the health of people.

## What Governor Said.

Governor Swanson introduced Dr. McCormack in a graceful and somewhat humorous speech, which was greatly enjoyed. The Governor prefaced his remarks by saying that as his knowledge of medicine was limited, his words on this occasion must be very few.

"Not only, however, did I desire to have the pleasure of introducing the illustrious speaker," he declared, "but also to express my desire to see established a strong medical association in this State, among supporters financially. It is my desire that the organizations in each county of the State be strengthened. I wish the law would permit the Board of Education to have in each county a capable physician to teach hygiene and sanitary precautions in every public school in the State. I wish also to advocate a sufficient financial provision for a vigorous and effective board of health, supported by the State, for the study of and prevention of disease."

"I do not believe there is any profession that gives so much to charity as the medical. It is the physician in a time of pestilence who stands to his post when every one else deserts. I want the young doctors of the State to feel that they have one of the grandest professions in the land. Your art ought to be to you one of the highest. Every doctor is entitled to a good living and reasonable compensation for his service."

"I take pleasure in introducing to you a man of ability and eminence as a physician, who is interested in creating in this State a proper regard for health, hygiene and sanitation. He comes from Kentucky, one of the most illustrious States of our Union and a beloved daughter of the Old Dominion. I introduce to you Dr. J. N. McCormack."

**Address by Dr. McCormack.**

In opening, Dr. McCormack referred to the fact that in the lay mind medicine has long been one of the occult sciences. It was the object of his address, he said, to lift the veil. Continuing, he told of the work of the American Medical Association, and of the results of his own investigation of medical conditions in this country and abroad. He spoke also of his earlier work in Kentucky, in which State for twenty-seven years he had represented the medical profession before the Legislature. Dr. McCormack

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## STANFORD WHITE DENIED CHARGE

Letter Written to Miss Simonton, Who is in South Africa.

THAW GAVE HER  
WIFE'S CONFESSION

Miss Simonton Tore It Up and Threw Paper in the Sea. She Afterwards Charged White With Downfall of Mrs. Thaw.

NEW YORK, March 2.—Stanford White wrote a denial and a repudiation of the accusations against him, which Evelyn Nesbit Thaw says she told Harry Thaw in Paris the night he urged her to marry him.

The letter was written to Miss Vera Simonton, formerly a close friend and confidant of Harry Thaw and his wife. Miss Simonton would have been called as an important witness for the prosecution, had she not betaken herself, directly after the slaying of White, to South Africa, where she is at present.

Without her presence to identify the letter, it will be impossible for the district attorney to read it into the record of the Thaw trial.

## The White Letter.

The letter, which is typewritten, bears the initials of Stanford White, penned by himself, and is as follows:

February 23, 1904.

Dear Miss Simonton,—I duly received your letter, but as the matter you speak about is one so entirely between Evelyn and myself, and about which I know absolutely nothing, and as I have hardly seen Evelyn for the past two months, I do not see how I can be of any service.

Although you have a perfect right to ask for your photographs, as Evelyn could not be held responsible here for what she did abroad, I hardly think it would be wise for you to make this condition before returning the things Evelyn and Mrs. Nesbit left with you. As for the other matter you mention, the story you brought back from Paris is too grotesquely absurd to have other than a natural death, and when Evelyn returned I put the whole thing out of my mind. I trust, therefore, that you will not trouble yourself to come down and make an explanation, which has become wholly unnecessary.

Yours truly, S. W.

## Miss Simonton Unfriendly.

When White wrote the letter Miss Simonton was in New York. Her friendly relations with the Thaws had been broken off. This is indicated by the first and second paragraphs of the letter. The third paragraph relates to the charges of Evelyn Nesbit, her mother, who afterwards became Mrs. Holman, and Harry Thaw were in Paris, Thaw, by threats and violence, had forced the young girl to pen a statement implicating White.

**Tore Up Statement.**

A quarrel parted Mrs. Holman and her daughter, and Thaw, who was friendly to the United States, to Miss Simonton he entrusted the statement which the district attorney was told had been transcribed by Evelyn Nesbit. His dictation, he directed her to show it to Mrs. Holman, with the object of proving to her the perfidy of White.

On the westward voyage, Mrs. Holman, on the contrary, told Miss Simonton that she had read the contents of the document to her. She read it herself, and was so horrified at the declarations it contained that she tore it to bits, and tossed the fragments into the sea.

Miss Simonton took White into her confidence and divulged the allegations in the statement to him. He made a broad and sweeping denial in the foregoing letter, a copy of which the district attorney vainly sought to introduce as evidence while he was cross-examining Evelyn this week.

## THAW'S COUNSEL FIGHT "INSANITY"

Prisoner Calls Meeting of His Lawyers to Fight Jerome's Move.

NEW YORK, March 2.—The Thaw trial enters its seventh week on Monday, and it would seem that unless some radical change in the course of procedure occurs, it will be at least two weeks, and possibly three, before the jury renders a verdict.

That District Attorney Jerome has no intention of letting the case ever go to the jury, if he can possibly prevent it, there appears no longer to be the semblance of a doubt. The prosecutor has made it perfectly plain that, with the consent of the defense, he would gladly have the matter come before a commission in lunacy, rather than before a court of law. Mr. Jerome does not believe that Thaw is in a proper condition of mind to be on trial. Time after time, when Mr. Delmas, the leading attorney for the defense, has interrupted him during his cross-examination of witnesses with objections of various kinds, Mr. Jerome has retorted hotly:

"You forced me into this."

**No Taste for "Muck Rake."**

The district attorney especially had no taste for the cross-examination of Evelyn Nesbit Thaw. He endeavored to avoid it by having the experts testify first, hoping to gain from them enough

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## SCENE IN COURTROOM AT CULPEPER DURING TRIAL OF JAMES AND PHILIP STROTHER FOR KILLING W. F. BYWATERS



## WHAT MAYOR SAYS ABOUT SPEECHES

Cites Record to Show They Were Not Result of Committee Episode.

## SESSION TO BE HELD TO-MORROW

Members Will Probably Issue Reply to Statements Made in T. P. A. Address—Several Said to Be Inclined to Pass Matter Over.

Another move in the controversy between Mayor McCarthy and certain members of the Finance Committee will probably be made at 5 o'clock to-morrow afternoon, at which hour the committee has been called to meet.

The purpose of the session is to formulate a reply to the Mayor's references to the Finance Committee in his speech to the Travelers' Protective Association Thursday night, and some of the members declare that a statement will be issued, and will make warm reading. Others are disposed to consider the matter with less seriousness, and some are understood to favor passing the incident over without further notice. Indications are, however, that a formal reply will be made, and that it will be given to the public at once.

Mayor McCarthy was seen last night with reference to the general situation which has arisen in connection with the recent fiery session of the Finance Committee, and his own two speeches.

He was asked if he would issue a counter-statement should the committee make one. He would not discuss the subject for publication, but the impression prevails in circles close to his honor that he will not do so.

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**Mayor's Statement.**

The Mayor did not seem inclined to go into any details last night, but when pressed for a statement, he dictated the following, designed to show that neither of his recent speeches in any way resulted from the Finance Committee episode.

"The assertion that the address of the Mayor delivered before the joint session of the Council on the 25th of February was the outcome of an address by the Mayor to the Finance Committee, and that the Council session, or incident which transpired in a certain Finance Committee meeting, is peculiar in view of the fact that the first suggestion of an address by the Mayor to the Council was made in December, and the resolution of the Council inviting him to make the address in January was passed by the Council and went to the Board, where it was amended so as to fix the date of the address, the latter part of February, instead of January. This amended resolution went back to the Council, was passed in its amended form, and approved by the Mayor on the 15th of January."

"Thus it will be seen that the arrangements for this address, including the complete action of both branches of the Council, were all made before the Finance Committee meeting."

"Another curious fact in connection with much that has been said concerning the Mayor's address is that on the conclusion of the address the president of the Board of Aldermen, presiding over the joint session, complimented the speaker, and Alderman Gust moved a vote of thanks to the Mayor for his valuable, interesting and instructive address, and the joint body there present unanimously adopted the motion."

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## GENERAL VAUGHAN ANNOUNCES STAFF

New Brigadier Commander Makes Appointments and Gives Out List Here.

## ARE DOWN AND OUT, SAYS M'DONALD

Wants People to Place the Blame Where It Belongs Regarding Panama Canal.

AUGUSTA, GA., March 2.—"We are down and out," said J. B. McDonald, president of the Panama Construction Company, in discussing the rejection of the bid of W. J. Oliver for the construction of the Panama Canal. "They have taken the matter entirely out of our hands, and it now rests with the President. The responsibility should be placed where it belongs. I cannot see why our bid should have been rejected, except that it is due to the far-reaching machinations or combination of influences that have worked against the bid of W. J. Oliver and all bids that threaten actual construction of the big canal."

Mr. McDonald intimated that the interests are those of the allied trans-continental railways.

## Pick Off the Big Men.

"It is generally recognized that this agency has been at work to defeat the consummation of the project long before it ever took tangible shape. You will notice that one by one the practical men who have been identified with the canal project have been picked off by big financial interests. It is not difficult to trace the relation. This is very poor business, however, for the canal is bound to come, if not during this administration, then during another. It is inevitable."

"I cannot see where the President and his associates are right, and do not see how they will be able to build the canal."

## Confederate Reunion Fund Stands Still

The general committee in charge of the fund with which to meet the many and expensive details of the entertainment of the United Confederate Veterans on the occasion of the grand reunion in Richmond on May 30th to June 3d, inclusive, were greatly disappointed yesterday when the entire day passed and not one dollar was received from any source. There are quite a number of committees who have not made returns, and the general committee urge that they will at once proceed with and complete the canvass of their districts, and forward the reports to headquarters. However, it is feared that the reports of the outstanding committees will only slightly reduce the deficit which now exists between the amount on hand and the minimum amount which it is estimated the reunion committee will have to expend; and the public at large are urged to come forward at once with their contributions, and thus put an end to the daily reminders that the reunion fund of the Confederate veterans is lagging along and the daily receipts are meagre. The general committee feels that in this city such a thing as ignoring the reunion fund is impossible, and that it is purely because the people do not call to mind the necessity of making an early provision of money that the amount needed was not long ago assured.

## Canal Will Be Built.

"Sooner or later the ditch will have to be dug under the business-like management of a contractor who has figured the cost down to a minimum. Our company was willing to perform every item of the agreement required by the government. It was our understanding that when the conditions imposed by the government were met the contract went to our company. We had made every preparation, at considerable expense, and were prepared to begin shoveling dirt on or before the time limit of sixty days."

Mr. McDonald does not think that there is anything in the report that W. J. Oliver will enter suit against the government for the preliminary expenses of \$10,000 incurred in making the bid.

"I am certainly not going to Washington to confer with him further in the matter. He said our company will be dissolved as rapidly as possible, and that will end the matter. I have not heard a word from Mr. Oliver since the rejection of his bid."

## THREE OFFICERS SHOT BY NEGRO

Startling Tragedy at Fayetteville; Chief of Police May Die.

## WILD EXCITEMENT PREVAILS IN TOWN

With \$1,000 on Him, Dead or Alive, Negro Is Captured in Dunn and Taken to Raleigh for Safe Keeping—Patrolman Dead.

(Special to The Times-Dispatch.)

FAYETTEVILLE, N. C., March 2.—An appalling tragedy occurred at Fayetteville about 8 o'clock to-night, when three policemen were shot in a "blind tiger," one being killed, and the other two likely to die.

Chief of Police J. A. Chason, with two other policemen, P. T. Buckingham and Owen Lockamy, went to the house of Tom Walker, a negro, who lives near Cross Creek Cemetery, with a warrant to search his house for a "blind tiger." They found a woman, Walker's wife, also a white man, who came here as a tramp about ten days ago. He was a customer and had just bought a bottle of beer and was about to open it, when the policemen walked in on them. The chief of police, J. A. Chason, read the search warrant to the woman, and she said that her husband was not at home.

Her husband, Tom Walker, came in about this time, and told the policemen to read the warrant to him, which the chief proceeded to do. When Walker remarked: "Yes, you have hounded me down, and now, God damn you, will kill you." He took his hands from his pockets and began firing immediately and rapidly, discharging in all six shots, hitting all three of the policemen, killing Mr. Owen Lockamy instantly, and fatally wounding Mr. Chason, who was hit twice, one bullet taking effect in the left side of his face near the nose and running back into his head several inches; the other passed through his left foot.

## Near the Heart.

Mr. Buckingham was hit by one ball, it taking effect between the heart and left shoulder.

Chason and Buckingham were taken to the Highsmith Hospital, where everything was done for them by Dr. J. P. Highsmith and his associates to save their lives, if possible.

The city is in a very excited condition. Major J. A. Vann was sworn in as chief of police, with a number of extra police men to assist him in keeping order. Telegrams and phone messages were sent all over the State describing the negro, who is of a ginger-cake color, about five feet eight inches, and weighs about 160 pounds. He wears tan shoes and a cap. He has a small black moustache. There is a reward of \$1,000 for his capture, dead or alive, and about 3,000 armed men are searching for him. He will be captured before day. The city and county have ordered bloodhounds from Maxton, W. Va., and Wilmington. There has been a special train ordered to bring the hounds, and the people are thoroughly aroused and will have the negro at any cost. Governor R. B. Glenn sent a phone message for the F. I. L. Company, which is under the command of Captain N. H. McGeehy, to hold themselves ready to obey orders, either from the sheriff of the county or the Mayor of the city. It is not thought that there will be any mob violence, but the people are determined that the guilty party shall suffer for his crime. He is a bad character, was arrested about ten days ago and was released for want of evidence.

## Caught at Dunn.

It had been reported that the negro made his escape by leaving on the Atlantic Coast Line freight train going north, but later a phone message from Dunn, a town about twenty-four miles north of here, on the Atlantic Coast Line, states that the negro Tom Walker had been arrested there and confessed to the crime. He will be taken to Raleigh for the present for safe-keeping. Chief Chason is not expected to live through the night.

## STROTHER BOYS WERE "INSANE" SAYS DR. CLARKE

The Alienist of Washington Testifies Strongly for Defense.

## PROSECUTION PUTS ON DREWRY

Superintendent of Central Hospital at Petersburg Says Act of Killing Bywaters Indicates "Anger to Last Degree"—Defense Nearly Through.

BY WALTER EDWARD HARRIS.

CULPEPER, VA., March 2.—Heavy fighting characterized the day in the trial of the Strother brothers for killing their brother-in-law, William F. Bywaters. When court adjourned late this afternoon the not results of the day were about even for each side, with slight advantage in favor of the defense.

The alienist introduced by counsel defending the brothers testified with much emphasis that they were suffering from temporary insanity when they slew the man they believed deserting their sister, whom he had just married under such harrowing circumstances.

They were of sound mind a few minutes before the circumstances which caused the killing arose, and were sane a few minutes afterward. Cross-examination did not impair the value of this testimony for the defense. Dr. Drewry, the expert summoned by the prosecution, testified positively that he did not believe in the doctrine of impulsive or emotional insanity, but on cross-examination he admitted that circumstances might arise which would cause an individual to lose his control so completely that he would not be responsible for his action. The prosecution will put on Dr. DeJarnette, of the Western State Hospital, as an insanity expert Monday.

## Evidence Ruled Out.

The defense scored in having ruled out as inadmissible a great deal of evidence offered by the prosecution in rebuttal, tending to show that Bywaters had acted in perfect good faith in entering into the forced marriage with Viola Strother, but the Commonwealth gained a strong point when they secured the consent of the court to summon E. L. Gaines, brother-in-law of the Strother brothers, to the witness stand. Gaines witnessed this tragedy, and is the man who, in some manner, got Bywaters back up the stairs and into the room an instant before the young man was shot to death on the roof of the porch.

His testimony, as given at the corner's inquest, showed that he was a hostile witness, for which reason the prosecution did not care to summon him. His coming to the witness stand in response to the subpoena obtained by the court gives to the prosecution the right to cross-examine, which they would not have had the witness been produced as a witness for the Commonwealth.

The testimony which Gaines will give is expected to throw light on how he got Bywaters back into the room, after Philip Strother had fired one shot at him as he ran down the steps, and it will also shed light upon the question as to who raised the window through which Bywaters is alleged to have made his escape.

This is a most important point, as showing the intentions of Bywaters. The window is said to have been down at the time of the shooting, and was closed at the time of the inquest. The evidence will be continued Monday, and it is expected that the argument of instructions will be completed by the State Monday night, as Judge Harrison will hold a night session.

The jury is expected to begin Tuesday morning, possibly Thursday. A decision Thursday is the earliest possible time the court can hope to complete the trial. The jury is taking the long delay philosophically. The weather improved a great deal to-day, and it will be possible for the juryman, all of them used to leading active lives, to take walks, escorted by the deputies. The contention is caused by some of them to get restive. The jury will attend services to-morrow morning at the Baptist Church, of which Dr. Winfrey is pastor. At night the jurors will hear Rev. Dr. Wells, of the Methodist Church.

## JUDGE DECLINES TO ADMIT QUESTION

Mr. Moore Gives Extended Recital of One and Dr. Clark Says Insanity.

The entirely technical nature of the proceedings yesterday, which were interesting chiefly to the legal spectators, was probably responsible for the small crowd in the courtroom when Judge Harrison ascended the bench at half-past 9. Mr. Moore, of the defense, at once propounded to Mr. Charles D. Clark, the insanity expert, the hypothetical question, based upon facts alleged by the defense to have